

UNITED STATES DISTRICT COURT
for the

DOA
4-5-22
United States of America
v.
Jesus Osvaldo Aguilar Rosas

) Case No. 22-3103MJ

)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT ONE

On or about April 5, 2022, in Maricopa County, within the District of Arizona, the defendant, JESUS OSVALDO AGUILAR ROSAS, did knowingly and intentionally possess with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers or salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii).

COUNT TWO

On or about April 5, 2022, in Maricopa County, within the District of Arizona, the defendant, JESUS OSVALDO AGUILAR ROSAS, did knowingly and intentionally possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl], propanoate (commonly known as fentanyl), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vi).

COUNT THREE

On or about April 5, 2022, in Maricopa County, within the District of Arizona, the defendant, JESUS OSVALDO AGUILAR ROSAS, did knowingly and intentionally possess with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii)(II).

COUNT FOUR

On or about April 5, 2022, in Maricopa County, within the District of Arizona, the defendant, JESUS OSVALDO AGUILAR ROSAS, did knowingly and intentionally possess with the intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(i).

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause, Incorporated by Reference Herein

Continued on the attached sheet.

DAVID
CONTI

Digitally signed by DAVID
Date: 2022.04.06 17:06:36
m00

Reviewed by AUSA D. Matthew Conti

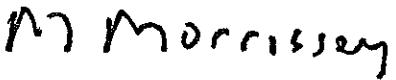

Complainant's signature

Special Agent Jessica M. Earle,
Drug Enforcement Administration

Printed Name and title

Sworn telephonically and signed electronically.

Date: 4-7-22


Judge's signature

City and state: Phoenix, Arizona

Honorable Michael T. Morrissey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Jessica Earle; Special Agent of the Drug Enforcement Administration, being duly sworn, declare and state as follows:

INTRODUCTION AND BACKGROUND OF AFFIANT

1. Your Affiant, Jessica M. Earle, is a criminal investigator of the United States within the meaning of Title 18, United States Code Section 2510(7) – an officer of the United States who is empowered by law to conduct investigations and make arrests for offenses enumerated in Title 18, United States Code Section 2516.

2. Your Affiant has been a Special Agent with the Drug Enforcement Administration (DEA) since June 2019 and is currently assigned to the Phoenix Field Division (PFD) DEALERS Group 16. Prior to becoming a Special Agent, your Affiant attended the DEA's sixteen-week training academy located in Quantico, Virginia. While at the DEA training academy, your Affiant received formal training in investigative techniques, drug identification, and laws pertaining to drug investigations. Your Affiant has also received on-the-job training from senior agents regarding the manner in which drugs are trafficked and best practices for law enforcement to counter the drug trafficking threat.

3. Prior to your Affiant's employment with the DEA as a Special Agent, your Affiant was employed by the DEA as an Intelligence Analyst for twelve years, beginning in 2006. For the first five years, your Affiant served as the senior strategic analyst covering Mexican Drug Trafficking Organizations (DTO) at DEA Headquarters. From 2011 to 2014, your Affiant served as a strategic intelligence analyst stationed at DEA's Mexico City Country Office in Mexico City, Mexico. Then, from 2014 to 2019, your Affiant served as the senior strategic analyst covering DEA's Far East region, including China, as well as the Acting Unit Chief for DEA's Global Strategic Intelligence Unit at DEA Headquarters.

4. In the course of conducting drug investigations, your Affiant has personally interviewed informants and persons involved in the distribution of illegal drugs. In addition, your Affiant has provided surveillance in support of federal investigations that utilized

court-authorized interceptions of wire and electronic communications. Your Affiant has also consulted with other experienced investigators concerning the practices of drug trafficking organizations and the strategies used to investigate them.

5. Your Affiant is familiar with the methods used in drug-trafficking operations and the drug-trafficking patterns employed by DTOs. During your Affiant's tenure with the DEA, your Affiant has become knowledgeable of the methods and the language typically used by DTOs. Your Affiant knows that drug-traffickers often require the use of one or more communication facilities to coordinate times, places, and procedures for importing, concealing, and distributing controlled substances, and for arranging the disposition of drug-trafficking proceeds. Your Affiant knows that the use of telephones is essential in maintaining communication with sources of supply, brokers, customers, financiers, transporters, dealers, money couriers, and stash house operators

6. In preparing this affidavit, your Affiant has conferred with other Special Agents and other law enforcement officers, who share the opinions and conclusions stated herein. Furthermore, your Affiant has personal knowledge of the following facts or has learned them from the individual(s) mentioned herein.

PROBABLE CAUSE

7. On April 5, 2022, law enforcement personnel were conducting surveillance in the area of Weldon Street and 15th Avenue in Phoenix, Arizona. During their surveillance, they observed a suspected drug transaction at an apartment complex located at 3615 N. 15th Avenue, Phoenix, Arizona 85015. The individual who appeared to have transferred something during the transaction was wearing a black hat, white shirt, and dark pants. This individual was later identified as Jesus Osvaldo Aguilar Rosas (hereinafter "AGUILAR").

8. Following the transaction, AGUILAR was observed walking into the apartment complex located at 3615 N. 15th Avenue. At approximately 2:50 p.m., DEA agents observed AGUILAR depart the gate of the same apartment complex and meet with an individual. AGUILAR was again wearing a black hat, white shirt, and dark pants. AGUILAR was carrying a blue bag, which he handed to the individual. Believing that a

drug transaction had occurred, investigators approached and detained AGUILAR. The investigators examined the contents of the blue bag and found approximately .39 kilograms of blue pills, which your Affiant suspects contain fentanyl, and approximately 1.58 kilograms of suspected methamphetamine. When detaining AGUILAR, they found that he had a handgun in his possession.

9. Once in custody, AGUILAR stated that he was currently living in apartment number 22 at the apartment complex located at 3615 N. 15th Avenue. This was the same apartment complex investigators had seen him enter and exit from earlier that day. AGUILAR further stated that no one else was present in the apartment.

10. AGUILAR told investigators that there were "some things" and a second firearm inside the apartment. He then consented and signed a consent form allowing investigators to enter both the apartment and AGUILAR's vehicle, a Kia Forte bearing Arizona license plate CNX5865.

11. At approximately 3:20 p.m., investigators entered apartment number 22 located at 3615 N. 15th Avenue. Once inside the apartment, investigators found and seized approximately 150,000 blue pills which your Affiant suspects contain fentanyl, approximately 20.29 kilograms of methamphetamine (inclusive of packaging), approximately 3.25 kilograms cocaine (inclusive of packaging), 1.46 kilograms of fentanyl powder (inclusive of packaging), 1.01 kilogram of heroin (inclusive of packaging), a second firearm, and \$34,171.50 in US currency (see attached photo).

12. The methamphetamine, cocaine, powdered fentanyl, and heroin were field tested. All the samples tested positive, respectively.

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13. Based on the facts and circumstances stated in this Affidavit, I submit there is probable cause to believe that the defendant, Jesus Osvaldo AGUILAR Rosas, committed the offenses as alleged in the Complaint.

Jessica M. Earle
Special Agent
Drug Enforcement Administration

Subscribed electronically and sworn telephonically this 7 day of April, 2022.

M T Morrissey
HONORABLE MICHAEL T. MORRISSEY
United States Magistrate Judge